



STATE OF WEST VIRGINIA  
OFFICE OF THE ATTORNEY GENERAL  
DARRELL V. MCGRAW, JR.  
CONSUMER PROTECTION DIVISION  
1-800-368-8808 or 304-558-8986

# Press Release

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## FOR IMMEDIATE RELEASE

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### **Wetzel County Circuit Court Permanently Enjoins Iams Funeral Home From Selling Preneed Funeral Contracts**

On April 25, 2008, Judge John T. Madden granted Attorney General Darrell McGraw's motion to permanently enjoin Iams Funeral Home and John L. Iams II from selling or servicing preneed funeral contracts. Judge Madden's order makes the preliminary injunction granted in November 2007 permanent. Judge Madden also ordered Iams to transfer all of his open preneed funeral contracts and to release the money paid by consumers to fund these contracts to the funeral homes that will service them in the future. Iams was further ordered to reimburse funeral homes that had previously serviced some of his preneed funeral contracts but had not been paid.

On October 24, 2007, the State filed a Complaint against Iams Funeral Home and John L. Iams II, alleging numerous violations of the West Virginia Preneed Funeral Contracts Act. These violations included operating without a Certificate of Authority, operating without a license to sell preneed funeral contracts, and operating without a business license. Iams also refused to transfer preneed funeral contracts upon the request of the contract buyer.

The Defendants were represented by Hiram Lewis, a candidate for Attorney General. Numerous hearings were held on the State's motion and they often were very contentious. At one hearing, Judge Madden ordered the bailiff to take Mr. Lewis to the Regional Jail, but relented after Mr. Lewis agreed to behave.

This is not the first time violations have been discovered during an audit of Iams Funeral Home. Two prior audits revealed, among other things, misappropriation of consumer funds.

"These Defendants have now been held accountable for their failure to comply with the Preneed Funeral Contracts Act. This statute protects consumers who wish to buy peace of mind when purchasing their funerals. The Legislature has entrusted the oversight of the preneed funeral services industry to my office and we take that responsibility very seriously," said Attorney General McGraw.

Any consumers wishing to file a complaint about the purchase of a good or service, or to alert the Attorney General about unfair or deceptive practices may do so by calling the Consumer Protection Hotline, 1-800-368-8808, or by obtaining a complaint form from Attorney General McGraw's website at [www.wvago.gov](http://www.wvago.gov).

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